

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

EDWARD R. PRIDGEN

v.

JO ANNE B. BARNHARDT,
Commissioner of the Social Security
Administration

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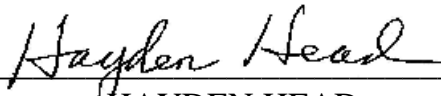
C.A. NO. C-04-549

MEMORANDUM OPINION AND ORDER OF DISMISSAL

On August 10, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 16). After ample opportunity, no objections have been filed by either party. This Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, defendant's motion for summary judgment (D.E. 14) is granted and plaintiff's motion for summary judgment (D.E. 13) is denied. The decision of the Commissioner is affirmed and plaintiff's cause of action is dismissed in its entirety.

ORDERED this 24th day of August, 2005.



HAYDEN HEAD
CHIEF JUDGE

